IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 13322 of 2007(J)

PETITIONER:

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1. K.BALACHANDRAN, LAKSHMI MANDIRAM,
   ERAVU, THRISSUR - 680 620.

2. C.INDIRA DEVI, W/O.K.BALACHANDRAN,
   LAKSHMI MANDIRAM, ERAVU, THRISSUR - 680 020.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:

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1. THE SECRETARY TO GOVERNMENT,
   LOCAL SELF GOVERNMENT DEPARTMENT,
   GOVT OF KERALA, THIRUVANANTHAPURAM.

2. THE CHIEF TOWN PLANNER,
   OFFICE OF THE CHIEF TOWN PLANNER,
   THIRUVANANTHAPURAM.

3. THE CORPORATION OF THRISSUR,
   REPRESENTED BY ITS SECRETARY,
   THRISSUR.

BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATIO
SRI.LELLULAL T.G.THUNDATHIL
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE LETTER SENT BY THE PETITIONER TO THE FIRST RESPONDENT INTIMATING ABOUT THE PURCHASE OF ADDITIONAL LAND FOR PATHWAY.
EXT.P2	TRUE COPY OF THE LETTER SENT BY THE PETITIONER ON 14-2-06 TO THE HONOURABLE MINISTER WITH A COPY TO THE OTHER AUTHORITIES.
EXT.P3	TRUE COPY OF COMMUNICATION DTD. 28-6-06 ISSUED BY THE CHIEF TOWN PLANNER TO THE PETITIONERS.

/True Copy/

K. M. JOSEPH, J.

W.P.C. NO. 13322 OF 2007 J

Dated this the 11th July, 2007

JUDGMENT

Petitioners have approached this Court apprehending demolition on the basis of the website Notification of the Corporation. According to petitioners, the second prayer in the Writ Petition is to regularise the construction in terms of the application of the petitioners. Petitioners relies on Ext.P3 which is issued by the Chief Town Planner. It only says that the petitioners have to submit a revised plan. No revised plan is produced by the petitioners also in the Writ Petition. No application seeking permission to revise the plan is submitted. There is no notice issued by the Corporation for demolition . Petitioners have apparently approached this Court on the basis of the website Notification.

2. Heard the learned counsel for the petitioners and the respondent Corporation. The Writ Petition is disposed of as follows:

If the petitioners submit an application with revised plan within ten days from today, the Secretary of the third respondent will consider the same and pass appropriate orders in accordance with law. Till such time as a decision is taken, the interim order will continue. However, if the petitioners do not give the application with revised plan within ten days from today, they will forfeit the benefit of this Judgment.

K. M. JOSEPH, JUDGE

kbk.